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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

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ROBERT H. SHEMWELL, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

MELANIE BROUSSARD

CIVIL ACTION NO. 05-0461

VS.

JUDGE DOHERTY

COMMISSIONER OF SOCIAL SECURITY MAGISTRATE JUDGE METHVIN

JUDGMENT

This matter was referred to United States Magistrate Judge Mildred E. Methvin for Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the Commissioner's decision is **REVERSED AND REMANDED**. On remand, the ALJ shall order a follow-up consultative examination with Dr. Eric Frischhertz, Jr. to determine whether Broussard's obesity is a severe impairment and to evaluate the effects of Broussard's obesity on her ability to perform routine movement and necessary physical activity within the work environment. The ALJ shall also order that Dr. Frischhertz to complete an RFC assessment, taking into account all of Broussard's impairments. Finally, the ALJ shall obtain the testimony of a vocational expert to assist in his determination of whether Broussard is disabled.

Lafayette, Louisiana this 28 day of April, 2006.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE